

*Memorandum*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ADVANCED VIDEO TECHNOLOGIES LLC,

Plaintiff,

v.

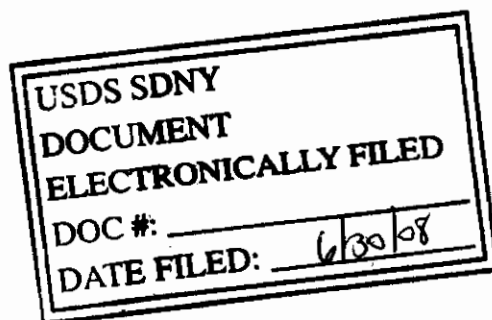
PURE DIGITAL TECHNOLOGY, INC.,

Defendant.

No. 08 Civ. 3627 (CM) (RLE)

**STIPULATION AND ORDER**

IT IS HEREBY STIPULATED AND AGREED BY AND AMONG THE  
UNDERSIGNED that the law firm of Quinn, Emanuel, Urquhart, Oliver & Hedges LLP be  
substituted as counsel for defendant Pure Digital Technologies, Inc. (mistakenly identified in the  
caption as Pure Digital Technology, Inc.) in the place of the law firms of Wollmuth Maher &  
Deutsch LLP and Frommer Lawrence & Haug LLP.



Dated: June 25, 2008

WOLLMUTH MAHER & DEUTSCH LLP

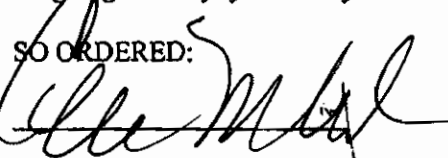
By:   
Frederick R. Kessler, Esq.

500 Fifth Avenue, Floor 12  
New York, New York 10110  
Telephone: (212) 382-3300

FROMMER LAWRENCE & HAUG LLP

Richard E. Parke, Esq.  
745 Fifth Avenue  
New York, New York 10151  
Telephone: (212) 588-0800

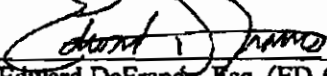
*Outgoing attorneys for the Defendant*

SO ORDERED: 

6-26-08

Dated: June 25, 2008

QUINN, EMANUEL, URQUHART, OLIVER  
& HEDGES LLP

By:   
Edward DeFranco, Esq. (ED-6524)

51 Madison Avenue, 22nd Floor  
New York, New York 10010  
Telephone: (212) 849-7000

Evette D. Pennypacker, Esq. (*pro hac vice*  
application to be filed)

Quinn, Emanuel, Urquhart, Oliver  
& Hedges LLP  
555 Twin Dolphin Drive, Suite 560  
Redwood Shores, California 94065  
Telephone: (650) 801- 50000

*Incoming attorney for the Defendant*

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ADVANCED VIDEO TECHNOLOGIES LLC,

Plaintiff,

v.

PURE DIGITAL TECHNOLOGY, INC.

Defendant.

Case No. 08 Civ. 3627 (CM) (RLE)

**AFFIDAVIT OF  
FREDERICK R. KESSLER**

ECF CASE

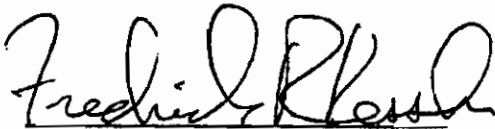
State of New York    )  
                              )    ss:  
County of New York    )

Frederick R. Kessler, being duly sworn, hereby deposes and says as follows:

1. I am a partner of Wollmuth Maher & Deutsch LLP, counsel for Defendant Pure Digital Technologies, Inc. (mistakenly identified in the caption as Pure Digital Technology, Inc.) ("Defendant"). I am familiar with the proceedings in this case. I make this affidavit based on my personal knowledge of the facts set forth herein (except where otherwise noted) and in support of the proposed Stipulation and Order substituting the law firm of Quinn, Emanuel, Urquhart, Oliver & Hedges LLP ("Incoming Counsel") as counsel for Defendant in place of the law firms of Wollmuth Maher & Deutsch LLP and Frommer Lawrence & Haug LLP (together "Outgoing Counsel").
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice in 1989. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. Defendant has requested a substitution of counsel due to the preexisting relationship with, and proximity to, Incoming Counsel of Defendant's general outside counsel.
4. Plaintiff Advanced Video Technologies LLC ("Plaintiff") filed its Complaint on April 16,

2008. By Order of May 6, 2008, the Court extended the time for Defendant to respond to the Complaint to June 20, 2008. I am informed that Plaintiff has agreed, subject to Court approval, to further extend Defendant's time to respond to July 10, 2008. There have been no conferences to date.

Dated: June 25, 2008  
New York, New York

  
Frederick R. Kessler

Subscribed and sworn to before me  
on this 25th day of June 25, 2008.



Notary Public

**MATTHEW C. MAHADY**  
Notary Public State of New York  
No. 01MA6146027  
Qualified in New York County  
Commission Expires May 15, 2010